

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) MITCHELL, Devin M.		2. EDIPI (b) (6), (b) (7)(C)	3. RANK/RATE PFC	4. PAY GRADE E-2
5. UNIT OR ORGANIZATION Marine Fighter Attack Squadron 314, Marine Aircraft Group 11, 3d Marine Aircraft Wing, Marine Corps Air Station Miramar, California			6. CURRENT SERVICE a. INITIAL DATE 17 Jun 13 b. TERM 5 yrs 1 mo	
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED	
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL	None	
\$1,793.40	None	\$1,793.40		
			9. DATE(S) IMPOSED N/A	

II. CHARGES AND SPECIFICATIONS

10. CHARGE: VIOLATION OF THE UCMJ, ARTICLE 120

Specification: In that Private First Class Devin M. Mitchell, U.S. Marine Corps, Marine Fighter Attack Squadron 314, Marine Aircraft Group 11, 3d Marine Aircraft Wing, Marine Corps Air Station Miramar, California, on active duty, did, at or near San Diego, California, on or about 23 December 2016, commit a sexual act upon (b) (6), (b) (7)(C), U.S. Navy, to wit: penetration of her vulva by the said Private First Class Mitchell's penis, by causing bodily harm to her, to wit: any offensive touching of the said (b) (6), (b) (7)(C), however slight, including any nonconsensual sexual act or nonconsensual sexual contact.

(END)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) (b) (6), (b) (7)(C)	b. GRADE E-5	c. ORGANIZATION OF ACCUSER HqHqRon, MCAS Miramar, CA
d. SIGNATURE OF ACCUSER (b) (6), (b) (7)(C)	e. DATE 20170612	

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 12th day of June, 2017, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

(b) (6), (b) (7)(C)

Typed Name of Officer

CAPTAIN, USMC

Grade and Service

(b) (6), (b) (7)(C)

Signature

HqHqRon, MCAS Miramar, CA

Organization of Officer

TRIAL COUNSEL

Official Capacity to Administer Oaths
(See R.C.M. 307(b)—must be commissioned officer)

12. On 31 Aug, 20 17, the accused was informed of the charges against him/her and of the name(s) of the accuser(s) known to me. (See R.C.M. 308(a)). (See R.C.M. 308 if notification cannot be made.)

(b) (6), (b) (7)(C)

Typed Name of Immediate Commander

VMFA-314, MAG-11, 3d MAW

Organization of Immediate Commander

CAPTAIN, USMC

Grade

(b) (6), (b) (7)(C)

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at 0900 hours, 31 Aug 20 17 at VMFA-314, MAG-11, 3d MAW
Designation of Command or

Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE¹ COMMANDING OFFICER

(b) (6), (b) (7)(C)

Typed Name of Officer

LEGAL OFFICER

Official Capacity of Officer Signing

CAPTAIN, USMC

Grade

(b) (6), (b) (7)(C)

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY
3d Marine Aircraft Wing

b. PLACE
MCAS, MIRAMAR, CA

c. DATE
AUG 25 2017

Referred for trial to the General court-martial convened by GCMCO #1-16
dated 30 December 2016, subject to the following instructions: None.

by of
Command or Order

M. R. WISE

Typed Name of Officer

Commanding General

Official Capacity of Officer Signing

Major General, U. S. Marine Corps

Grade

(b) (6), (b) (7)(C)

Signature

15. On August 31, 20 17, I (caused to be) served a copy hereof on (each of) the above named accused.

(b) (6), (b) (7)(C)

CAPTAIN, USMC

Grade or Rank of Trial Counsel

(b) (6), (b) (7)(C)

Signature

FOOTNOTES

1 - When an appropriate commander signs personally, inapplicable words are stricken.

2 - See R.C.M. 601(e) concerning instructions. If none, so state.